

STATE OF NEBRASKA

Dave Heineman
Governor

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December 15, 2008

Senator Steve Lathrop, Chairman
Developmental Disabilities Special Investigative Committee
State Capitol, Room 1117
Lincoln, NE 68509

Dear Senator Lathrop:

Thank you and your fellow senators for your report about the Beatrice State Developmental Center (BSDC). I appreciate your commitment to addressing these issues. As you acknowledged, while progress has been made at BSDC over the last year, this report provides additional alternatives to addressing the issues raised in the Center for Medicare and Medicaid Services and Department of Justice reports.

Your report reaffirms some of the same conclusions that the Department of Health and Human Services has been addressing over the last year. Many of your conclusions are similar to my thoughts on how to continue making progress at BSDC as set forth in the Department of Justice settlement in July 2008.

I share your commitment to keep BSDC open. As your report indicated, BSDC serves clients with very high developmental and physical challenges. It also provides a valuable resource for community-based providers through the outreach treatment services and intensive treatment services for clients needing temporary behavior modification services.

I agree that a cultural change is needed at BSDC. Within the last few months, there have been several management changes implemented at BSDC. Addressing this issue is a primary goal of the management team. I will be asking for a plan of action for a cultural change at BSDC. I will also be reviewing the full management structure of the Division of Developmental Disabilities and BSDC.

The Department of Health and Human Services continues to be committed to expanding community-based care for the developmentally disabled for which the state is responsible. Clients should have the opportunity to be served in the least restrictive setting. I will prioritize increased funding for developmentally disabled provider rates.

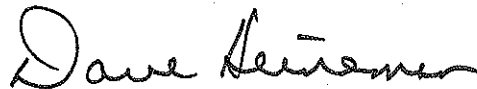
I will also include additional funding for increased oversight by investigators of the Department's Division of Public Health. Increasing the number of investigators will provide the opportunity for more periodic inspections of community-based providers.

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My budget will also address the contingent liability for BSDC should the state fail to pass recertification. If that situation were to occur, we will need to evaluate how to move forward at that time. Funding for a study on the potential for the privatization of the BSDC facility will also be included in my budget.

While the state faces difficult economic times, I will continue to work with the Legislature to address these funding issues in a positive manner. I believe there is common ground and we can work together to serve our developmentally disabled citizens. Again, thank you for your report.

Sincerely,

A handwritten signature in black ink that reads "Dave Heineman". The signature is written in a cursive, flowing style.

Dave Heineman
Governor

cc: Senator John Harms
Senator Greg Adams
Senator Abbie Cornett
Senator Tim Gay
Senator Arnie Stuthman
Senator Norm Wallman